

REMARKS

Receipt of the final action mailed February 12, 2007 is acknowledged. Claims 1, 3-12 and 14-22 are pending in the application and have been rejected. In keeping with the foregoing amendments and the following arguments, reconsideration and allowance is respectfully requested.

The objection to claim 12 has been corrected. Applicant notes the error on the status identifier for claim 22, and acknowledges that claim 22 was inadvertently presented with the “original” identifier. Claim 22 is identified herein as “previously presented.”

Claim 1 has been amended to positively recite, in part, that the puzzle pieces are removable and form an assembled image when placed on the receiving area, and a first substrate and a second substrate formed from the same piece of a single paperboard blank. Contact is made between the conductive pattern and the conductive dot upon pressing the selected portion of the image on one of the removable puzzle pieces such that the first and second substrates cooperate to form an electrical circuit thereby activating the sound generator.

Similarly, claim 12 has been amended to recite, in part, a plurality of removable puzzle pieces sized for placement on the receiving area, with each puzzle piece having an image adapted to form an assembled image, and both of the substrates formed from connected portions of the same paperboard panel.

By comparison, Billings uses a flexible membrane 208 formed from a polyester sheet for one of the “substrates.” Col. 4, line 65 to col. 5, line 2. The other “substrate” is the ground plane 208, which is “formed of a rigid material, such as paper chipboard. Col. 5, lines 38-40. Consequently Billings does not disclose or even suggest forming these two substrates from the same material, and cannot disclose or suggest forming these two substrates from the same piece of material. Further, Billings expressly teaches using the flexible membrane, which must deform through the hole in the relatively deep or thick spacer as shown in Fig. 3B. Moreover, the reference expressly teaches a spacer that is “of sufficient height” in combination with the membrane that has “sufficient resilience.” Thus there can be no suggestion to make the needed modification without destroying the express teachings of the

reference. The Pierce reference offers nothing to cure this deficiency. Therefore, there can be no *prima facie* case of obviousness based on Billings, and claims 1 and 12 are in allowable form for at least this reason.

Next, on Billings the removable pieces are rigid (the pieces 108 fit in the cutouts 234 of the rigid puzzle form 236). When a piece is removed, the user presses on the “corresponding underlying graphic” to activate the device. Thus, the user never presses on the removable puzzle piece to activate the device as presently claimed. Moreover, one could not deform the underlying flexible membrane by pushing on an overlying rigid puzzle piece in any event. There can be no way to modify the reference to reach the claimed invention without destroying the express teachings of the reference, and without wholly modifying the principles of operation of Billings. Again, the Pierce reference offers nothing to cure this deficiency. Therefore, there can be no *prima facie* case of obviousness based on Billings, and claims 1 and 12 are in allowable form for at least this reason as well.

Claim 20 recites, in part, that the first, second and third substrates formed from the same paperboard panel and connected to one another by fold lines, while claim 21 recites, in part, that the first, second and third substrates have the same thickness and are formed of the same material.

Neither Billings nor Pierce can render claims 20 or 21 obvious, as Billings expressly teaches a resilient membrane in combination with a rigid base, and expressly teaches a flexible membrane in combination with a sufficiently thick spacer. Therefore, claims 20 and 21 also are in allowable form.

All remaining dependent claims depend from allowable independent claims.

In view of the foregoing, the above-identified application is in condition for allowance. In the event there is any remaining issue that the Examiner believes can be resolved by a telephone conference, the Examiner is respectfully invited to contact the undersigned attorney at (312) 474-6612.

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Respectfully submitted,

By 

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